UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1996/46
26 January 1996

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-second session
Item 9 of the provisional agenda

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region

Report of the Secretary-General submitted in accordance with paragraph 15 of Commission on Human Rights resolution 1995/48

CONTENTS

	Paragraphs	Page
Introduction	1 - 4	2
I. THE UNITED NATIONS PROGRAMME OF TECHNICAL COOPERATION IN THE FIELD OF HUMAN RIGHTS IN THE ASIAN AND PACIFIC REGION	5 - 38	3
A. United Nations human rights fellowship programme	6	3
B. Regional technical cooperation projects	7 - 9	3
C. Technical cooperation with recipient countries in the Asian and Pacific region	10 - 38	3
II. OTHER REGIONAL COOPERATION FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS	39	8
III. RATIFICATION BY STATES IN THE ASIAN AND PACIFIC REGION OF INTERNATIONAL HUMAN RIGHTS INSTRUMENTS	40	8

GE.96-10349 (E)

Introduction

1. In its resolution 1995/48 of 3 March 1995 entitled "Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region", the Commission on Human Rights welcomed the three regional workshops on various human rights issues which had been held in the Asian and Pacific region, in Manila from 7 to 11 May 1990, in Jakarta from 26 to 28 January 1993, and in Seoul from 18 to 20 July 1994, which focused, inter alia, on national institutions and regional arrangements for the promotion and protection of human rights. It endorsed the substantive conclusions of the workshop held in Seoul contained in its Chairman's concluding remarks, inter alia, that such workshops should be organized regularly, as proposed by the Government of the Republic of Korea, and if possible annually, and requested the Secretary-General to facilitate the realization of that activity under the regular budget for advisory services and technical assistance. The Government of Nepal agreed to host the fourth workshop in Kathmandu. Owing to the financial constraints of the United Nations, the workshop has been postponed from December 1995 to 26-28 February 1996. The report of the workshop will be issued as an addendum to the present document.

2. In the same resolution, the Commission appealed to all Governments in the Asian and Pacific region to consider making use of the facilities offered by the United Nations to organize, under the programme of advisory services and technical assistance, information and/or training courses at the national or regional level for appropriate government personnel on the application of international human rights standards and the experience of relevant national and international organs. The Commission requested the Secretary-General to give adequate attention to the countries in the Asian and Pacific region by allocating more resources from existing United Nations funds to enable the countries of the region to benefit from all the activities under the programme of advisory services and technical assistance in the field of human rights.

3. The Commission encouraged States in the Asian and Pacific region to request assistance for such purposes as regional and subregional workshops, seminars and information exchanges designed to strengthen regional cooperation for the promotion and protection of human rights. It also encouraged all States in the region to consider ratifying and acceding to international human rights instruments adopted within the framework of the United Nations system, with the aim of universal acceptance. It further encouraged all States and regional and subregional organizations to develop programmes for human rights education in the Asian and Pacific region.

4. The Commission requested the Secretary-General to submit to the Commission at its fifty-second session a further report incorporating information on the progress achieved in the implementation of resolution 1995/48. The present report is submitted in accordance with that request.

I. THE UNITED NATIONS PROGRAMME OF TECHNICAL COOPERATION IN THE FIELD OF HUMAN RIGHTS IN THE ASIAN AND PACIFIC REGION

5. The Secretary-General pays particular attention to ensuring that the countries of the Asian and Pacific region benefit from all the activities under the programme of technical cooperation in the field of human rights, either through the regular budget or the Voluntary Fund for Technical Cooperation.

A. United Nations human rights fellowship programme

6. Since the beginning of the programme in 1956, close to 370 fellowships have been awarded to candidates from Asian and Pacific countries. In 1995, the programme focused on training in human rights reporting and provided fellowships to candidates from Bhutan, China, Indonesia, Israel, the Lao People's Democratic Republic, Nepal, Papua New Guinea and Viet Nam.

B. Regional technical cooperation projects

7. In response to Commission resolution 1994/69, in which the Commission invited the Centre for Human Rights, inter alia, to give special attention to strengthening the capacity of national and regional institutions to collect and disseminate information on human rights, a project has been developed for the provision of training and equipment for human rights information and documentation work in Asia through Human Rights Information and Documentation Systems (HURIDOCS), a non-governmental organization specialized in this field.

8. The project purports to introduce appropriate and compatible information technology to human rights institutions and organizations in Asia through an integrated programme of training courses, on-site training and provision of equipment and documentation. The objective is to strengthen the information handling expertise of these institutions and facilitate networking and the exchange of data among themselves and human rights organizations worldwide. The project will cover some 39 non-governmental organizations in 10 countries.

9. The Centre is in the process of planning a training programme for armed forces in the Asian and Pacific region on their role in the protection and promotion of human rights, democracy and the rule of law.

C. Technical cooperation with recipient countries in the Asian and Pacific region

10. As described below, in 1995, the Centre for Human Rights, in cooperation with various Governments in the Asian and Pacific region, carried out planned activities under ongoing projects and formulated new projects upon request and subsequent assessment.

Bhutan

11. Upon request from the Government of Bhutan and in accordance with the established methods of work, the Centre for Human Rights fielded a mission

to Bhutan in June and July 1995 to assess the human rights needs of Bhutan, to identify priorities for cooperation with the Government and to agree on technical assistance activities to be implemented in the country.

12. The report of the mission contained recommendations for technical assistance activities to be undertaken by the Centre in cooperation with the Government in the short and medium term. The areas of assistance identified as possible components of a project for Bhutan to be implemented in the short term are human rights in the administration of justice, and treaty accession, reporting and international obligations. The one-year project is aimed at strengthening the institutional capacity of Bhutan to deal with human rights issues and its understanding of international human rights norms and mechanisms.

Cambodia

13. The Centre for Human Rights continues to implement its programme of technical assistance as defined in Commission and General Assembly resolutions and the biannual programme of activities established in 1993. Some of the most recent and ongoing activities are:

(i) Provision of assistance in drafting subsidiary legislation on: immigration (through a consultant especially hired for a six-month period), the press, women, prisons, the abolition of child trafficking and prostitution, nationality, associations, the legal profession, criminal procedure code, law on land-mines; assistance in the implementation of laws which have been adopted recently, including the law on the Supreme Council of Magistracy, the Immigration Law and the Law on the Outlawing of the Khmer Rouge;

(ii) Provision of assistance to the inter-ministerial committees responsible for drafting the reports of Cambodia on the implementation of the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child and the International Convention against the Elimination of All Forms of Racial Discrimination. The draft reports have now been completed and are being cleared by the Government before being submitted to the relevant Committees;

(iii) Implementation of a judicial assistance programme through the placement of four legal consultants in four provincial courts; publication and distribution of a compilation of existing laws on the administration of justice; the organization of seminars and training courses on various human rights issues for police and military officials, legal personnel and government officials;

(iv) Training of teachers, monks and law students on human rights and teaching methodology in primary and secondary schools; translation and dissemination of human rights instruments and publications;

(v) Strengthening of NGO capacity to conduct human rights promotion and protection activities, through the provision of technical and financial assistance.

14. The Office of the Centre for Human Rights in Cambodia has established three provincial offices in the provinces of Siem Reap, Battambang and Kampong Cham.

15. Detailed information on the activities carried out by the Special Representative of the Secretary-General for human rights in Cambodia and by the Office of the Centre for Human Rights in Cambodia can be found in the relevant reports of the Secretary-General to the Commission on Human Rights (E/CN.4/1996/92) and to the General Assembly (A/50/681/Add.1).

China

16. The Centre for Human Rights has established contacts with the Chinese Academy of Social Sciences regarding the possible provision of support to the human rights documentation centre within the Centre for Human Rights Studies at the Institute of Law of the Academy of Social Sciences in Beijing.

17. Meetings between representatives of the Institute of Law and the Centre for Human Rights were held in Beijing on two occasions in 1994 and 1995. The Centre subsequently supplied the Institute with a broad range of United Nations publications for use at the documentation facility.

18. The Centre is currently exploring what forms of assistance would be most useful to the Institute, taking into account the support that the documentation centre has received from other sources.

Indonesia

19. In response to a request from the Government and in conformity with the Vienna Declaration and Programme of Action, the Centre for Human Rights contributed financially and substantively to the Second National Workshop on Human Rights, held from 24 to 26 October 1994 in Jakarta. The theme of the workshop was the development of a national plan of action for the promotion and protection of human rights.

20. A Memorandum of Intent between the High Commissioner/Centre for Human Rights and the Government of Indonesia was signed on 26 October 1994 on technical cooperation in human rights. The Government expressed interest particularly in cooperation on educational, teaching, research and training activities in human rights.

21. The Centre for Human Rights has maintained contact with the United Nations Resident Coordinator in Indonesia regarding the Government's interest in technical cooperation in the field of human rights. Furthermore, consultations with government representatives have been held concerning the elaboration of a technical cooperation programme in the field of human rights.

22. Upon the finalization of the national plan of action, the Government intends to contact the Centre for Human Rights for possible technical assistance. The Centre will assess the needs and design an appropriate technical cooperation project, in consultation and in partnership with the Government of Indonesia.

Kuwait

23. The Centre for Human Rights has recently received a request for technical cooperation in the field of human rights from the Government of Kuwait. A needs assessment mission to Kuwait will be fielded in March 1996 in order to formulate an appropriate technical cooperation project addressing the areas of need.

Mongolia

24. In the course of 1995, four activities were organized by the Centre for Human Rights in cooperation with the Government of Mongolia, in the framework of the programme of technical cooperation with this country which was developed on the basis of a needs assessment study completed in 1992.

25. A training course on the administration of justice and the independence of the judiciary took place in Ulanbataar from 20 to 24 February 1995. The course was attended by 50 participants, the majority of whom were judges and magistrates, in addition to lawyers and officials from the Office of the Prosecutor. Training courses on human rights in law enforcement were organized in Ulanbataar from 29 May to 9 June 1995 for 60 police trainers during the first week, and 60 participants from the operational police at the command and management levels during the second week. A third training course, for Mongolian non-governmental human rights organizations, on capacity building and the international system for the protection of human rights was organized in Ulanbataar from 4 to 8 December 1995.

26. As a follow-up to the needs assessment mission which was carried out in November 1994 in connection with the establishment of a library for the Supreme Court of Mongolia, a second mission, conducted by an international expert, took place from 4 to 8 September 1995, in order to provide training to the Mongolian library staff on the use of a new system of cataloguing, indexing, research and administrative organization.

27. A project manager is now stationed in Ulanbataar for a one-year period in order to ensure proper implementation of the technical cooperation project with Mongolia.

Nepal

28. The Centre for Human Rights conducted a needs assessment mission in June and July 1995 with a view to evaluating human rights needs, in consultation with a wide range of both governmental and non-governmental actors, identifying suitable ways to address them and formulating recommendations for the implementation of technical assistance activities.

29. On the basis of this needs assessment mission, a two-year project has been developed, aimed at assisting the Government in the areas of legislative reform, the administration of justice, human rights treaty accession and reporting obligations, human rights information and documentation, and education. The project includes also assistance to NGOs in strengthening their capacity to undertake human rights promotion and protection activities.

Palestine

30. The Centre for Human Rights formulated a project on support for the rule of law during a mission conducted in the West Bank and Gaza in June 1995 and in close consultation with the Palestine National Authority, the United Nations Special Coordinator in the Occupied Territories, Palestinian NGOs and human rights institutions, and 24 United Nations agencies and programmes active in the West Bank and Gaza.

31. The project, designed to be of a two-year duration, is intended to support Palestinian initiatives, from both official and non-governmental sectors, directed towards strengthening key institutions, laws, and policies vital to the maintenance of the rule of law and the fair administration of justice. It will assist in strengthening the rule of law through the facilitation of adequate functional and human rights capacities in the judicial, prosecutorial, police, and prison services, under a clear and unified system of Palestinian laws, and with adequate supervision by strong and independent Palestinian human rights institutions and NGOs.

Pakistan

32. The Government of Pakistan informed the Centre for Human Rights of the establishment of a Human Rights Cell and requested technical assistance to the Cell in a number of areas. Subsequently, the Centre agreed to provide the necessary assistance under the programme of technical cooperation.

33. The Centre has been in contact with the Government and the United Nations Resident Coordinator and will, upon request by the Government, field a needs assessment mission to Pakistan to design a technical cooperation project which will address the areas most in need of assistance.

Papua New Guinea

34. During the World Conference on Human Rights in 1993, the Government announced to the international community its intention of establishing an independent national human rights commission and subsequently requested assistance from the Centre for Human Rights for that purpose.

35. The Centre fielded a needs assessment mission from 28 May to 6 June 1995. The Government has since requested follow-up action to the recommendations made by the mission. In this context, the Centre is undertaking a project formulation mission in January 1996 in order to develop a technical cooperation project in close consultation with the Government and civil society. The mission will define in concrete terms the objectives to be achieved, outputs servicing those objectives and activities necessary to produce the outputs.

Viet Nam

36. The Centre for Human Rights will field a project formulation mission concerning the administration of juvenile justice in Viet Nam in March 1996. The purpose of the mission will be to identify technical cooperation activities through which the Centre might assist Viet Nam in the promotion

and protection of the rights of children. The mission is being conducted in response to a request from the Vietnamese Committee for the Protection and Care of Children ("Vietnamese Committee") which expressed an interest in working with the Centre on projects which would bring juvenile justice legislation, policy and practice into line with the Convention on the Rights of the Child.

37. Discussions concerning technical cooperation between the Vietnamese Committee and the Centre began in 1993, after the Committee on the Rights of the Child considered the first report submitted by Viet Nam pursuant to the Convention on the Rights of the Child. The Committee suggested that the Government examine existing legal provisions in the domestic law of Viet Nam regarding children in conflict with the law and promote awareness of the rights of the child and of the Convention on the Rights of the Child in Viet Nam.

38. It is expected that, beginning in 1996, the Centre will support the Government of Viet Nam in organizing the technical cooperation activities which will be identified during the forthcoming mission.

II. OTHER REGIONAL COOPERATION FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

39. A regional workshop on "Asian Human Rights Education for Development" was held in Manila from 13 to 15 December 1995. The workshop was organized by the Philippines Commission on Human Rights and attended by participants from Australia, China, India, Indonesia, Japan, Malaysia, New Zealand, the Philippines and Viet Nam. The special adviser on national institutions to the High Commissioner for Human Rights and representatives of governmental and non-governmental organizations also participated. The workshop adopted principles on human rights education and made recommendations to Governments, national institutions and non-governmental organizations.

III. RATIFICATION BY STATES IN THE ASIAN AND PACIFIC REGION OF INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

40. The status of ratification of the principal international human rights instruments by States in the Asian and Pacific region is as follows:

1. International Covenant on Economic, Social and Cultural Rights

2. International Covenant on Civil and Political Rights

3. Optional Protocol to the International Covenant on Civil and Political Rights

4. Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty

5. International Convention on the Elimination of All Forms of Racial Discrimination

6. International Convention on the Suppression and Punishment of the Crime of Apartheid

7. Convention on the Prevention and Punishment of the Crime of Genocide

8. Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity

9. Convention on the Rights of the Child

10. Convention on the Elimination of All Forms of Discrimination against Women

11. Convention on the Political Rights of Women

12. Convention on the Nationality of Married Women

13. Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages

14. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

15. Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others

16. Convention on the Reduction of Statelessness

17. Convention relating to the Status of Stateless Persons

18. Convention relating to the Status of Refugees

19. Protocol relating to the Status of Refugees

20. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Ratifications as at 30 June 1995

Afghanistan:	1, 2, 5, 6, 7, 8, 9, 10, a/ 11, 14, 15,
Australia:	1, 2, b/ 3, 4, 5, c/ 7, 9, 10, 11, 12, 14, d/ 16, 17, 18, 19
Bahrain:	5, 6, 7, 9
Bangladesh:	5, 6, 9, 10, 15
Bhutan:	5, a/ 9, 10

Brunei Darussalam:	
Cambodia:	1, 2, 5, 6, 7, 9, 10, 14, 18, 19
China:	5, 6, 7, 9, 10, 14, 18, 19
Cyprus:	1, 2, 3, 5, c/ 7, 9, 10, 11, 12, 14, 15, 18, 19
Democratic People's Republic of Korea:	1, 2, 7, 8, 9
Fiji:	5, 7, 9, 11, 12, 13, 17, 18, 19
India:	1, 2, 5, 6, 7, 8, 9, 10, 11, 12, a/ 15
Indonesia:	9, 10, 11, 14 a/
Iran (Islamic Republic of):	1, 2, 5, 6, 7, 9, 15, a/ 18, 19
Iraq:	1, 2, 5, 6, 7, 9, 10, 15
Israel:	1, 2, 5, 7, 9, 10, 11, 12, 13, a/ 14, 15, 16, a/ 17, 18, 19
Japan:	1, 2, 9, 10, 11, 15, 18, 19
Jordan:	1, 2, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15
Kiribati:	16, 17
Kuwait:	5, 6, 7, 8, 9, 15
Lao People's Democratic Republic:	5, 6, 7, 8, 9, 10, 11, 15
Lebanon:	1, 2, 5, 7, 9, 11
Malaysia:	7, 9, 12
Maldives:	5, 6, 7, 9, 10
Marshal Islands:	9
Micronesia (Federated States of):	9
Mongolia:	1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 13

Myanmar:	7, 9, 11, a/ 15 a/
Nauru:	9
Nepal:	1, 2, 3, 5, 6, 7, 9, 10, 11, 14
New Zealand:	1, 2, b/ 3, 4, 5, 7, 9, 10, 11, 12, 13, 14, d/ 18, 19
Oman:	6
Pakistan:	5, 6, 7, 9, 11, 12, a/ 15
Papua New Guinea:	5, 7, 9, 11, 18, 19
Philippines:	1, 2, b/ 3, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 17, a/ 18, 19, 20 a/
Qatar:	5, 6, 9, 14
Republic of Korea:	1, 2, b/ 3, 5, 7, 9, 10, 11, 15, 17, 18, 19
Samoa:	9, 10, 13, 18, 19
Saudi Arabia:	7
Singapore:	1, 2, 15, 18, 19
Solomon Islands:	1, 5, 9, 11
Sri Lanka:	1, 2, b/ 5, 6, 7, 9, 10, 12, 13, a/ 14, 15
Syrian Arab Republic:	1, 2, 5, 6, 7, 9, 15
Thailand:	9, 10, 11
Tonga:	5, 7
Turkey:	5, a/ 7, 9, 10, 11, 14, d/ 18, 19
Tuvalu:	18, 19
United Arab Emirates:	5, 6
Vanuatu:	9
Viet Nam:	1, 2, 5, 6, 7, 8, 9, 10
Yemen:	1, 2, 5, 6, e/ 7, 8, 9, 10, 11, 13, 14, 15, e/ 18, e/ 19 e/

Notes

a/ Signature not yet followed by ratification.

b/ Declaration recognizing the competence of the Human Rights Committee under article 41 of the International Covenant on Civil and Political Rights.

c/ Declaration recognizing the competence of the Committee on the Elimination of Racial Discrimination under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination.

d/ Declarations recognizing the competence of the Committee against Torture under articles 21 and 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

e/ Ratification, accession, approval, notification or succession, acceptance or definitive signature which has been given only by the former Republic of Yemen.